HONOURABLE SRI JUSTICE D.S.RVARMA
AND
HONOURABLE SRI JUSTICE D.APPA RAO

WRIT PETITION No.18170 of 2007

Dated:30.08.2007

Between:

B.Padma and another.

…Petitioner

And:

State of A.P., reptd., by its Principal Secretary,
Department of Home, Secretariat Buildings,
Hyderabad and two others.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE D.APPA RAO

WRIT PETITION No.18170 of 2007

ORAL ORDER: *(per Hon'ble Sri Justice D.S.R.Varma)*

Heard both sides.

2. This writ petition is filed seeking to issue a writ of Habeas Corpus directing the respondents to produce one B.Sunkaiah and B.Subbanna before this Court.

3. The grievance of the petitioners is that their

husbands by name B.Sunkaiah and B.Subbanna were illegally arrested by the Police on 16.08.2007 and that they are apprehending danger to their lives.

4. Upon directions of this Court, the learned Assistant Government Pleader, representing learned Advocate General, obtained instructions and reported that the alleged detenus were involved in a case registered on 05.06.2007 as Crime No.88 of 2007 for the offence punishable under Section 379 I.P.C. and in that connection, they were arrested on 28.08.2007 and produced before the Judicial Magistrate of First Class, Mahboobnagar, on the same day. The said statement made by the learned Assistant Government Pleader, basing on the instructions from the responsible officers and also basing on the Case Diary file, cannot be disbelieved.

5. However, if the aforesaid revelations were found to be false, it is always open for the petitioners to avail such remedies as permissible under law.

6. With the above observations, the writ petition is closed. However, there shall be no order as to costs.

D.S.R.VARMA, J

D.APPA RAO, J

30.08.2007
DR